UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,949	04/12/2004	John Martin	250727US8	2349

22850 7590 04/21/2009

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER	
PHAM, MICHAEL	

ART UNIT	PAPER NUMBER
2167	

NOTIFICATION DATE	DELIVERY MODE
04/21/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No.	Applicant(s)	
	10/821,949	MARTIN ET AL.	
	Examiner	Art Unit	
	MICHAEL PHAM	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 January 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3-41,44-46 and 49-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3-41,44-46 and 49-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/16/09 has been entered.

Claim Status

2. Claims 3-41, 44-46, and 49-51 are pending.

3. Claims 3-41, 44-46, 49-51 have been examined.

Claim Objections

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claim 51 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Absent an explicit and deliberate definition in the specification or limiting claim language, the broadest reasonable interpretation of "computer program product" which would be fairly conveyed to one of ordinary skill in the art is a "produced computer program".

Therefore, claim 51 is directed to the program itself, not a process occurring as a result of executing a program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and realize its functionality. It's also clearly not directed to a composition of matter. Therefore it's non-statutory under 35 U.S.C. 101.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 3-4, 8, 14, 17, 20, 22, 23, 25, 27, 39, 44, 45-46, and 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) further in view of U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman).

Claim 49:

Maxham discloses the following claimed limitations:

"physically loading and copying data and associated meta-data into a processor-based device by a user from one or more data storage devices located at a user-site, said processor-based device being

located at said user-site;" [0034 lines 6-9, if in electronic form, a suitable drive 26 corresponding to the medium type is used to upload electronic documents to the computer system. 0014,8-11, each of a plurality of documents having at least one of either meta-data, text or attachments identified for retrieval that are indexed for web-based retrieval that are indexed for web-based retrieval from the cluster database. Accordingly, physically loading (0034, uploading) and copying data (uploading) and associated meta-data (0014, meta-data) into a processor-based device (figure 1) by a user (figure 1 element 12, administrator/ figure 1 element 22, user) from one or more data storage devices (figure 1 element 28 and 26) located at a user-site (figure 1, users located in figure 1), said processor-based device (figure 1) being located at said user-site (figure 1, users located in figure 1).]

"for subsequent processing of a working copy"[0047, the webpage includes field in which the user may enter search criteria for initiating a search. 0051, assigns one or more attributes. 0051, selecting the documents. 0014, cluster database. 0054, native format downloaded to user's computer. 0053, attributes assigned to the document Accordingly, for subsequent processing of a working copy of the data (0051, selecting the documents) and associated meta-data (0051, assign one or more attributes), said subsequent processing including storing in a local storage device (0054, native format downloaded to user's computer) said data (document) and associated meta-data (0053, attributes assigned to the document) as the working copy (document), while maintaining a document context (0014, cluster database) with respect to other documents (documents)]

"converting with said processor-based device a selected file if said selected file is convertible to a user-specified format, said step of converting including

extracting and saving file meta-data associated with said selected file,"[0014, identified and indexed, metadata; 0052 when user selects the document, the converted text, html, or xml file is displayed; and figures 10 a/b. Accordingly, converting with said processor-based device a selected file

(0052, when user selects the document, the converted text, html, or xml file is displayed) if said selected file is convertible to a user-specified format (figure 10a/b), said step of converting including

extracting and saving file meta-data (0014, identified and indexed, metadata) associated with said selected file (0014, document),]

"extracting text from said selected file," [extracting text (0014, text)from said selected file (0014, document)]

"creating an image of said selected file," [figure 10a]

"processing and converting the selected file to an output file in the user-specified export format, and"[0054, native document; and figure 10 a/b. Accordingly, processing and converting the selected file (figure 10a/b, complete and privacy.doc) to an output file (0054, native document) in the user-specified export format (figure 10a/b, native format),]

"outputting the output file in the user-specified export format for at least one of exporting,"[figure 10b]

"reviewing and searching the output file in an external system."[figure 10b]

Maxim does not explicitly disclose "inputting from the user on-site user input to said processor-based device"

On the other hand, Krachman discloses inputting from the user on-site user input (deployed on the target computer by either the requestor 28 or the respondent 29) to said processor-based device (figure 2, target).

Maxim and Krachman are within the same field of endeavor as applicant's invention and are therefore analogous. Maxim discloses that the system 10 is merely exemplary and should not be limited to only that

construction see 0028 lines 1-2 and 0029 lines 14-16. In doing so, Maxim discloses that the system inputs and loading are done on two different systems. Krachman discloses a system where inputs and loading are done on a local system (figure 2). It would have been obvious to a person of an ordinary skill at the time the invention was made to have applied Krachman's disclosure above for the purpose allowing for an administrator/user to use the same machine and further allowing for a search of data on any networked database, on hardrives of other pc's and on the target system's drives and optical drives. The end result is for convenience and faster loading and inputting, rather than having to do an extra step of remotely sending information to be processed.

Claim 50:

Maxham discloses the following claimed limitations:

"a data input device configured to allow a user to physically load and copy data and associated meta-data from one or more data storage devices located at a user-site into a processor-based device located at said user-site;" [0034, 0014, and 0047. Accordingly, a data input device (figure 1) configured to allow a user to physically load and copy data (0034, upload electronic documents) and associated meta-data (0014, each of a plurality of documents having at least one of either meta-data, text, or attachments identified for retrieval that are indexed for web-based retrieval from the cluster database) from one or more data storage devices (0014, databases) located at a user-site (figure 1, element 12 administrator) into a processor-based device (figure 1) located at said user-site (figure 1 element 12 administrator, figure 1 element 22)]

"for subsequently processing of a working copy of the data and associated meta-data;"[0047, the webpage includes field in which the user may enter search criteria for initiating a search. 0051, assigns one or more attributes. 0051, selecting the documents. 0014, cluster database. 0054, native format downloaded to user's computer. 0053, attributes assigned to the document. Accordingly, an interface (webpage) configured to receive on-site user input (user may enter) for subsequently processing of a working copy of the data (document) and associated meta-data (metadata)]

"a processor configured to store in a local storage device said data and associated meta- data as the working copy, while maintaining a document context with respect to the other documents," [0047, the webpage includes field in which the user may enter search criteria for initiating a search. 0051, assigns one or more attributes. 0051, selecting the documents. 0014, cluster database. 0054, native format downloaded to user's computer. 0053, attributes assigned to the document. Accordingly, a processor configured to store in a local storage device (downloaded to user's computer) said data (document) and associated meta- data (metadata) as the working copy (document), while maintaining a document context (cluster) with respect to the other documents (documents)]

"said processor also configured to convert a selected file if said selected file is convertible to a user-specified format," [0014, identified and indexed, metadata; 0052 when user selects the document, the converted text, html, or xml file is displayed; and figures 10 a/b. Accordingly, said processor also configured to convert (converted) a selected file (file) if said selected file is convertible to a user-specified format (figure 10a/b)]

"said converting including extracting and saving file meta-data associated with said selected file,"[0014, identified and indexed, metadata; 0052 when user selects the document, the converted text, html, or xml file is displayed; and figures 10 a/b. Accordingly, said converting including extracting and saving file meta-data (0014, identified and indexed, metadata) associated with said selected file (0014, document)]

"extracting text from said selected file," [extracting text (0014, text)from said selected file (0014, document)]

"creating an image of said selected file, and" [figure 10a]

"said processor being inside said processor-based device" [figure 1]

"processing and converting the selected file with the processor-based device to an output file in the user-specified export format, and" [Accordingly, processing and converting with the processor-based device (figure 1) the selected file (figure 10a/b, complete and privacy.doc) to an output file (0054, native document) in the user-specified export format (figure 10a/b, native format),]

"an output mechanism configured to output the output file in the user- specified export format for at least one of exporting," [figure 10b]

"reviewing and searching the output file in an external system."[figure 10b]

Maxim does not explicitly disclose "an interface configured to receive on-site user input into said processor-based device"

On the other hand, Krachman discloses an interface configured to receive on-site user input (deployed on the target computer by either the requestor 28 or the respondent 29) into said processor-based device (figure 2, target).

Maxim and Krachman are within the same field of endeavor as applicant's invention and are therefore analogous. Maxim discloses that the system 10 is merely exemplary and should not be limited to only that construction see 0028 lines 1-2 and 0029 lines 14-16. In doing so, Maxim discloses that the system inputs and loading are done on two different systems. Krachman discloses a system where inputs and loading are done on a local system (figure 2). It would have been obvious to a person of an ordinary skill at the time the invention was made to have applied Krachman's disclosure above for the purpose allowing for an administrator/user to use the same machine and further allowing for a search of data on any networked database, on hardrives of other pc's and on

the target system's drives and optical drives. The end result is for convenience and faster loading and inputting, rather than having to do an extra step of remotely sending information to be processed.

Claim 51:

Maxham discloses the following claimed limitations:

"physically loading and copying data and associated meta-data into a processor-based device by a user from one or more data storage devices located at a user-site, said processor-based device being located at said user-site;" [0034 lines 6-9, if in electronic form, a suitable drive 26 corresponding to the medium type is used to upload electronic documents to the computer system. 0014,8-11, each of a plurality of documents having at least one of either meta-data, text or attachments identified for retrieval that are indexed for web-based retrieval that are indexed for web-based retrieval from the cluster database. Accordingly, physically loading (0034, uploading) and copying data (uploading) and associated meta-data (0014, meta-data) into a processor-based device (figure 1) by a user (figure 1 element 12, administrator/ figure 1 element 22, user) from one or more data storage devices (figure 1 element 28 and 26) located at a user-site (figure 1, users located in figure 1), said processor-based device (figure 1) being located at said user-site (figure 1, users located in figure 1).]

"for subsequent processing of a working copy of the data and associated meta-data, said subsequent processing including storing in a local storage device said data and associated meta-data as the working copy, while maintaining a document context with respect to other documents;"[0047, the webpage includes field in which the user may enter search criteria for initiating a search. 0051, assigns one or more attributes. 0051, selecting the documents. 0014, cluster database. 0054, native format downloaded to user's computer. 0053, attributes assigned to the document Accordingly, receiving on-site user input (0047, the webpage includes field in which the user may enter search criteria for initiating a search)for subsequent processing of a working copy of the data (0051, selecting the documents) and

associated meta-data (0051, assign one or more attributes), said subsequent processing including storing in a local storage device (0054, native format downloaded to user's computer) said data (document) and associated meta-data (0053, attributes assigned to the document) as the working copy (document), while maintaining a document context (0014, cluster database) with respect to other documents (documents)]

"converting a selected file if said selected file is convertible to a user-specified format, said step of converting including

extracting and saving file meta-data associated with said selected file,"[0014, identified and indexed, metadata; 0052 when user selects the document, the converted text, html, or xml file is displayed; and figures 10 a/b. Accordingly, converting a selected file (0052, when user selects the document, the converted text, html, or xml file is displayed) if said selected file is convertible to a user-specified format (figure 10a/b), said step of converting including

extracting and saving file meta-data (0014, identified and indexed, metadata) associated with said selected file (0014, document),]

"extracting text from said selected file," [extracting text (0014, text)from said selected file (0014, document)]

"creating an image of said selected file," [figure 10a]

"processing and converting with said computer the selected file to an output file in the user-specified export format, and"[0054, native document; and figure 10 a/b. Accordingly, processing and converting with said computer the selected file (figure 10a/b, complete and privacy.doc) to an output file (0054, native document) in the user-specified export format (figure 10a/b, native format),]

"outputting the output file in the user-specified export format for at least one of exporting,"[figure 10b]

"reviewing and searching the output file in an external system."[figure 10b]

Maxim does not explicitly disclose "an interface configured to receive on-site user input into said processor-based device"

On the other hand, Krachman discloses an interface configured to receive on-site user input (deployed on the target computer by either the requestor 28 or the respondent 29) into said processor-based device (figure 2, target).

Maxim and Krachman are within the same field of endeavor as applicant's invention and are therefore analogous. Maxim discloses that the system 10 is merely exemplary and should not be limited to only that construction see 0028 lines 1-2 and 0029 lines 14-16. In doing so, Maxim discloses that the system inputs and loading are done on two different systems. Krachman discloses a system where inputs and loading are done on a local system (figure 2). It would have been obvious to a person of an ordinary skill at the time the invention was made to have applied Krachman's disclosure above for the purpose allowing for an administrator/user to use the same machine and further allowing for a search of data on any networked database, on hardrives of other pc's and on the target system's drives and optical drives. The end result is for convenience and faster loading and inputting, rather than having to do an extra step of remotely sending information to be processed.

Claim 3

The combination of Maxham and Krachman disclose in Maxham " wherein said converting step includes identifying a file that is not convertible as an exception file " [figure 10b]

Claim 4:

The combination of Maxham and Krachman disclose in Maxham "displaying summary statistics prior to "displaying summary statistics prior to said outputting step"[figure 9]

Claim 8

The combination of Maxham and Krachman disclose in Maxham "identifying a duplication within said working copy of the data." [0013, the computer is configured to…eliminate duplicate native documents based on the unique identification tags for producing a subset of input files to be uploaded to the plurality of computer nodes.]

Claim 14:

The combination of Maxham and Krachman disclose in Maxham "said step of identifying a duplication comprises: identifying said duplication by a hash or another unique identifier." (,See Maxham page 3, paragraph [0036] "Well known cryptographic algorithms, such as the MD5 checksum, may be used to create a fingerprint unique to each file." MD5 is a hash algorithm.)

Claim 17:

The combination of Maxham and Krachman disclose in Maxham "said step of identifying a duplication comprises: identifying a duplication by a hash algorithm." (See Maxham page 3, paragraph' [0036] "Well known cryptographic algorithms; such as the MD5 checksum, may be used to create a fingerprint unique to each file." MD5 is a hash algorithm.)

Claim 20:

The combination of Maxham and Krachman disclose in Maxham "wherein said step of converting comprises one of: time stamping or digitally authenticating the output file; and appending selected meta-data" (See Maxham page 2, paragraph [0014] "...each of a plurality of documents having at least one of either meta-data text or attachments identified for retrieval that are indexed for web based retrieval from the cluster database, said identification of the plurality of documents forming a cluster data base that is web-searchable by use of a predetermined descriptive term.")

Claim 22:

The combination of Maxham and Krachman disclose in Maxham "extracting one of file content data, content header information, file meta-data, file type information, and file characteristic data." (See Maxham page 3, paragraph [0035] "Next, the file type discriminator determines file types based on the file extension of each input file...Again, the file type of the extracted documents are determined by the file type discriminator.")

Claim 23:

The combination of Maxham and Krachman disclose in Maxham "said associated meta-data comprises: predetermined categories of meta-data corresponding to a file- type." (See Maxham page 4, paragraph [0046] "The attribute table may be created by the file type categorizer 216 of FIG. 2 when uploading native documents.")

Claim 25:

The combination of Maxham and Krachman disclose in Maxham "wherein said step of extracting text comprises: creating an ASCII file of said subset of text" (See Maxham page 2, paragraph [0014] "...where each document is identified by its file extension that is converted to ASCII t6xt and given a unique identification number...")

Claim 27:

The combination of Maxham and Krachman disclose in Maxham "said step of extracting text comprises: searching for a key word." (figure 9)

Claim 39:

The combination of Maxham and Krachman disclose in Maxham "said step of outputting comprises: exporting" [displaying] "to at least one of an image viewer, a printer, and a computer and another media" (See Maxham page 5, paragraph [0052] "When a user selects the document, the converted text, html, or xml file is displayed")

Claim 44:

The combination of Maxham and Krachman disclose in Maxham "pre-filtering and saving pre-filtering criteria." (See Maxham page 4, paragraph [0042] "Also, document classifications may be assigned to each document on the same scale. Therefore, only documents that have document classification equal to or less than the user's predefined permission level may be viewed by the user." Here, the filtering is the document permissions, and they are stored in the table as shown.)

Claim 45:

The combination of Maxham and Krachman disclose in Maxham "wherein said step of physically loading and copying comprises: accessing data from an email or instant messaging archive." (figure 10b)

Claim 46:

The combination of Maxham and Krachman disclose in Maxham "wherein said step of accessing data from an email or instant message archive comprises: accessing a printable attachment of an email or instant message."[figure 10a]

9. Claims 5-7, 26, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman) further in view of US patent application publication 20050141028 (hereafter Koppich).

Claim 5:

The combination of Maxham and Krachman do not explicitly disclose "displaying a series of parent-child relationships between a file and an attachment to said file said parent-child relationship being a document context."

On the other hand, Koppich discloses "displaying a series of parent-child relationships between a file and an attachment to said file said parent-child relationship being a document context."[figure 2]

Maxham, Krachman, and Koppich are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have applied Koppich's disclosure above to the combination of Maxham and Krachman for the purpose of providing another grouping and viewing method among folders and documents.

Claim 6:

The combination of Maxham, Krachman, and Koppish disclose in Maxham "wherein at least said converting step is a step performed in a software plug-in module."[0037, software packages]

Claim 7

The combination of Maxham and Krachman do not explicitly disclose "wherein said metadata comprises: date created, last date opened, last date modified, creator name, matter name, and predetermined identification and quality control data."

On the other hand, Koppish discloses 0056, the search criteria includes at least one of keywords, indices, electronic document size, electronic document creation date, electronic document name, electronic document content, and electronic document creator name.

Maxham, Krachman, and Koppich are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have applied Koppich's disclosure above to the disclosure of Maxham for the purpose of providing another grouping, viewing, and identifying documents.

Claim 26:

The combination of Maxham and Krachman do not explicitly disclose converting said image of said selected file to text with an OCR program if an ASCII file cannot be created.

On the other hand, Koppich discloses converting said image of said selected file to text with an OCR program if an ASCII file cannot be created (See Koppich page 5, paragraph [0051] "The OCR operation extracts text from image format documents received into the selected data storage area, performs optical character recognition on such documents, and converts them to text...")

Maxham, Krachman, and Koppich are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have applied Koppich's disclosure above to the disclosure of Maxham for the purpose of providing another grouping, viewing, and identifying documents.

Claim 38:

The combination of Maxham and Krachman do not explicitly disclose "wherein said step of an converting comprises: imaging with an imaging driver."

However, Koppich discloses wherein said step of an converting comprises: imaging with an imaging driver.. (See Koppich page 5, paragraph [0050] "Preferably, the documents are able to be converted from ...PS to TIFF...")

Maxham, Krachman, and Koppich are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have applied Koppich's disclosure above to the disclosure of Maxham for the purpose of providing another grouping, viewing, and identifying documents.

10. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman) further in view of US patent application publication 20040205644 by Shaughnessy et. al. (hereafter Shaughnessy).

Claim 9.

The combination of Maxham and Krachman do not explicitly disclose "marking a file that cannot be converted as an exception file."

However, Shaughnessy discloses said step of processing further comprises: marking a file that cannot be converted as an exception file. (See page 26, paragraph [0435] "If the Verity code 454 is unable to convert the selected file to HTML, a server exception will be thrown, and a helpful error message displayed in the user's Netscape browser 12.")

Maxham, Krachman, and Shaugnessy are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the combination of Maxham and Krachman with that of Shaughnessy because they are related to document management and by adding the exception as disclosed in Shaughnessy, the method is able to handle files that are not automatically convertible, without failing.

Claim 10:

The combination of Maxham and Krachman do not explicitly disclose "transferring via a drag-and-drop user interface comprising one of a computer mouse and a pointing device."

However, Shaughnessy disclose "transferring via a drag-and-drop user interface comprising one of a computer mouse and a pointing device."[See Shaughnessy page 23, paragraph [0362] "2. User selects an existing PowerPoint 97 (.PPT) file from the local hard drive and drags/drops it into the upload control."]

Maxham, Krachman, and Shaugnessy are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the combination of Maxham and Krachman with that of Shaughnessy because they are related to document management and by adding a drag/drop interface, allows for improved transferring interface for a user.

11. Claims 11, 19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman)and further in view of US patent 6098079 by John H. Howard (hereafter Howard).

Claim 11:

The combination of Maxham and Krachman do not explicitly disclose:

"a time-stamped audit file configured to record a file history spanning file creation to file destruction."

On the other hand, Howard discloses a time-stamped audit file configured to record a file history spanning file creation to file destruction. (See column 2, lines 48 - 52 and column 2 line 65 - column 3 line 4 "The reconciliation technique uses a set of journal files in which the history of file creation, modification, and deletion throughout the system is recorded, each journal file maintaining the portion of the history involving a particular site, or storage location....The process generally works by 'merging' the sequences of version entries in each journal to reconstruct the creation/modification/deletion history for each file at the involved sites. Dates and time values, referred to as 'timestamps', in the journal entries are used in this merging process to place the events from the different journals in order.")

Maxham, Krachman, and Howard are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the combination of Maxham and Krachman with that of Howard because both of the references are related to document management between different file systems and by including the audit file and time stamping as disclosed in Howard, the method is able to better track the various files for a more efficient method. It is for this reason that one of ordinary skill in the art would have been motivated to include a time-stamped audit file [journal file] configured to record a file history spanning file creation to file destruction.

Claim 19:

The combination of Maxham and Krachman do not explicitly disclose “time stamping and digitally authenticating both an image and a file of extracted meta-data”.

However, Howard discloses said step of converting comprises: time stamping and digitally authenticating both the image and the file of extracted meta-data. (See column 2, lines 48 - 52 and column 2 line 65 - column 3 line 4 "The reconciliation technique uses a set of journal files in which the history of file creation, modification, and deletion throughout the system is recorded, each journal file maintaining

the portion of the history involving a particular site, or storage location....The process generally works by 'merging' the sequences of version entries in each journal to reconstruct the creation/modification/deletion history for each file at the involved sites. Dates and time values, referred to as 'timestamps', in the journal entries are used in this merging process to place the events from the different journals in order.")

Maxham, Krachman, and Howard are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the combination of Maxham and Krachman with that of Howard because all of the references are related to document management between different file systems and by including the time stamping and digitally authenticating both an image and a file of extracted meta-data as disclosed in Howard, the method is able to better track the various files for a more secure method. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of converting comprises one of: time stamping and digitally authenticating both the image and the file of extracted meta-data.

Claim 21:

The combination of Maxham and Krachman disclose in Maxham said step of converting comprises: creating one or more searchable subordinate text files containing the contents of an operator-selected [identified for retrieval] subset of the selected files (See Maxham page 2, paragraph [0014] "...each of a plurality of documents having at least one of either meta-data text or attachments identified for retrieval..."); and appending selected meta-data about the files included in the subordinate text files. (See Maxham page 2, paragraph [0014] "...having at least one of either meta-data text or attachments...")

The combination of Maxham and Krachman do not explicitly disclose “time stamping or digitally authenticating the one or more subordinate textfiles”

However, Howard discloses "time stamping or digitally authenticating the one or more subordinate textfiles" (See Howard column 2, lines 48 - 52 and column 2 line 65 - column 3 line 4 "The reconciliation technique uses a set of journal files in which the history of file creation, modification, and deletion throughout the system is recorded, each journal file maintaining the portion of the history involving a particular site, or storage location ....The process generally works by 'merging' the sequences of version entries in each journal to reconstruct the creation/modification/deletion history for each file at the involved sites. Dates and time values, referred to as 'timestamps', in the journal entries are used in this merging process to place the events from the different journals in order.")

Maxham, Krachman, and Howard are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the combination of Maxham and Krachman with that of Howard because both of the references are related to document management between different file systems and by including the audit file and time stamping as disclosed in Howard, the method is able to better track the various files for a more efficient method and authenticating files.

12. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman) further in view of US patent 5978917 by Darren Chi (herafter Chi).

Claim 12:

The combination of Maxham and Krachman do not explicitly disclose "at least one of: checking a file for a virus; removing said virus from said file; checking said file for encoding or encryption; and decoding or decrypting said file."

However, Chi discloses at least one of: checking a file for a virus; removing said virus from said file; checking said file for encoding or encryption; and decoding or decrypting said file."(See column 3, lines 20 - 22 "The present invention provides a generic method for identifying the presence of macro viruses and for eliminating those viruses from infected documents.")

Maxham, Krachman, and Chi are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Maxham and Krachman with that of Chi because the types of files that are managed by Maxham and Krachman frequently contain macros that can contain viruses, and by including the virus detection and removal as disclosed in Chi, the files can keep the method from becoming corrupt and allowing only clean files to be managed. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of processing further comprises one of: checking a file for a Virus; removing said virus from said file; checking said file for encoding or encryption; decoding or decrypting said file.

13. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman) , and US patent 5978917 by Darren Chi (herafter Chi), US Patent application publication 20040193631 by Hiroya Kumashio (hereafter Kumashio), and US patent 6098079 by John H. Howard (hereafter Howard).

Claim 13:

The combination of Maxham, Krachman, and Chi do not explicitly disclose "performing page counts and time stamping/digital authentication of said output file."

However Kumashio discloses said step of processing further comprises: performing page counts (See page 10, paragraph [0250] "Thus, data concerning documents (IDs of the documents, names of the

documents, the number of pages of each document and thumbnails of the documents) stored in the folders selected by a user from the folders displayed in the region V 1 of the page is managed for each document.")

Maxham, Krachman, Chi, and Kumashio are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art to combine the teachings of Maxham and Chi with that of Kumashio because all three are related to document management and by including the page estimation as disclosed in Kumashio, the user is able to determine approximately how much relevant information is located in the folder, becoming more useful to the user. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of processing further comprises: performing page estimation.

Also, Howard discloses time stamping/digital authentication of said output file. (See column 2, lines 48 - 52 and column 2 line 65 - column 3 line 4 "The reconciliation" technique uses a set of journal files in which the history of file creation, modification, and deletion throughout the system is recorded, each journal file maintaining the portion of the history involving a particular site, or storage location ....The process generally works by 'merging' the sequences of version entries in each journal to reconstruct the creation/modification/deletion history for each file at the involved sites. Dates and time values, referred to as 'timestamps', in the journal entries are used in this merging process to place the events from the different journals in order.")

Maxham, Krachman, Chi, Kumashio, and Howard are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine Maxham, Chi, and Kumashio with that of Howard because all of the references are related to document management between different file systems and by including the time stamping as disclosed in Howard, the method is able to better track the various files for

a more secure method. It is for this reason that one of ordinary skill in the art would have been motivated to include time stamping/digital authentication of said electronic folder.

14. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman), and US patent application publication 20040205644 by Shaughnessy et. al. (hereafter Shaughnessy) further in view of U.S. 20040103367 by Riss et. al. (hereafter Riss).

Claim 15:

Maxham, Krachman, and Shaughnessy do not explicitly disclose "wherein said file that cannot be converted comprises one of: a file with a virus; an encrypted file; a corrupted file; an unknown file-type; and a deselected file."

However, Riss discloses said file that cannot be converted comprises one of: a file with a virus; an encrypted file; a corrupted file; an unknown file-type; and a deselected file [remove some files from the list]. (See page 4, paragraph [0060] "A list box (418) may be provided to view all the files that are attached by the user. The user can then choose to remove some files from the list (416) if there has been a mistake made by the user. Some document types such as .vbs, .exe will be restricted to avoid any unknown file types or virus files getting into the system.")

Maxham, Krachman, and Shaughnessy are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Maxham, Krachman, and Shaughnessy with that of Riss because they are all related to document management or processing and by including the disclosure of Riss, the method is more stable and efficiently by excluding the types of files that are not recognized or harmful. It is for this reason that one of ordinary skill in the art would have been motivated

to include said file that cannot be processed comprises one of: a file with a virus; an encrypted file; an unknown file-type; and a deselected file.

Claim 16:

Regarding claim 16, the combination of Maxham, Krachman and Shaughnessy do not explicitly disclose "comprises one of: logging said exception file; and exporting said exception file.".

However, Riss additionally discloses said step of marking a file that cannot be converted comprises one of: logging said exception file; and exporting said exception file. (See Riss Page 8, paragraph [0171] "Exception messages will be sent out to the Event Log and failed document processing will land up in the Suspended Queue."

Maxham, Krachman, and Shaughnessy are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Maxham, Krachman, and Shaughnessy with that of Riss because they are all related to document management or processing and by including the disclosure of Riss, the method is more stable and efficiently by excluding the types of files that are not recognized or harmful.

15. Claims 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman) further in view of US patent application publication 20030145209 by Eagle et. al. (hereafter Eagle).

Claim 18:

The combination of Maxham and Krachman do not explicitly disclose ", wherein said step of identifying a duplication comprises:

checking a duplicate file for a file corruption; and

exporting a corrupted duplicate file."

However, Eagle discloses said step of identifying a duplication comprises: checking a duplicate file for a file corruption [validating]; and exporting a corrupted duplicate file. (See page 4, paragraph [0048] "...validating original files and/or duplicate files, culling (deleting) files that should not be included in the final duplicates repository...")

Maxham, Krachman, and Eagle are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Maxham and Krachman with that of Eagle because the references are all related to document processing and by including the file corruption and deletion as disclosed in Eagle, the method can become more stable by removing files likely to render the system problematic. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of identifying a duplication comprises: checking a duplicate file for a file corruption'; and deleting or exporting a corrupted duplicate file.

16. Claims 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman), and U.S. Patent 6098079 by John H. Howard (hereafter Howard) and US Patent Application Publication 20030131241 by Henry M. Gladney (hereafter Gladney).

Claim 24:

Maxham, Krachman, and Howard do not explicitly disclose said step of time stamping comprises: time stamping with one of UTC time and another predetermined time zone.

However, Gladney discloses said step of time stamping comprises: time stamping with one of UTC time and another predetermined time zone (See page 6, paragraph [0127] "...the timestamp might be encoded as an 8-byte (long) integer that records the last time the value was updated at the primary server that manages the handle value; it might contain elapsed time since 00:00:00 UTC, January 1970 in milliseconds.")

Maxham, Krachman, Howard, and Gladney are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Maxham, Krachman, and Howard with that of Gladney because all of the references are related to document profiling and by including the time stamping feature as disclosed in Gladney, the method can be more accurate by always having the standard timestamp apply. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of time stamping comprises: time stamping with one of UTC time and another predetermined time zone.

17. Claims 28, 40, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman) and further in view of US patent application publication 20040199555 by Albert Krachman (hereafter Krachman 2).

Claim 28:

The combination of Maxham and Krachman do not explicitly disclose "wherein said step of extracting of text comprises: extracting a portion of text around said keyword."

However, Krachman 2 discloses said step of extracting a user-selectable portion of text comprises: extracting a portion of text around said keyword. (See page 6, paragraph [0132] "The first item on that hit list will be displayed in the third portion of the screen in a format that showed 30-40 words around highlighted text illustrating the words the search agent found responsive to the query.")

Maxham, Krachman, and Krachman 2 are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art to combine Maxham and Krachman with that of Krachman 2 because the references are all related to electronic document processing, and by including the extracting teachings as disclosed in Krachman 2, the method becomes more robust by not just extracting the keyword, but extracting the word in context. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of extracting a user-selectable portion of text comprises: extracting a portion of text around said keyword.

Claim 40:

The combination of Maxham and Krachman do not explicitly disclose "exporting the output file comprising a predetermined litigation support software file type."

However, Krachman 2 discloses wherein said step of outputting comprises: exporting the output file comprising a predetermined litigation support software file type (See Krachman 2 page 7, paragraph [0142] "The trained smart agents can be used to extract text and other information from almost anything: they can burrow through...all ODBC-compliant databases such as Access, Oracle..." Here, Access is the litigation support software.)

Maxham, Krachman, and Krachman 2 are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art to combine Maxham and Krachman with that of Krachman 2 because the references are all related to electronic document processing, and by including the litigation support software teachings as disclosed in

Krachman 2, the method becomes more robust by not just extracting the keyword, but useful for other applications.

Claim 41.

Regarding claim 41, the combination of Maxham, Krachman, and Krachman 2 additionally discloses said predetermined litigation support software file type comprises one of: an IPRO file type, an Opticon file type, a Concordance file type, a Summation file type, a Ringtail file type, a Microsoft Access file type, and a data management file type. (See Krachman 2 page 7, paragraph [0142] "The trained smart agents can be used to extract text and other information from almost anything: they can burrow through ... all ODBC-compliant databases such as Access, Oracle..." Here, Access is the litigation support software.) It would have been obvious to one with ordinary skill in the art to combine Maxham and Krachman with that of Krachman 2 because the references are all related to electronic document processing, and by including the extracting teachings as disclosed in Krachman 2, the method becomes more robust by not just extracting the keyword, but extracting the word in context. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of extracting a user-selectable portion of text comprises: extracting a portion of text around said keyword.

18. Claims 29, 30, 31, 32, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman) further in view of US patent 6421726 by Kenner et. al. (hereafter Kenner).

Claim 29:

The combination of Maxham and Krachman do not explicitly disclose wherein "said step of processing and converting comprises: processing with a prioritization scheme keyed to file type."

However, Kenner discloses said step of processing and converting comprises: processing with a prioritization scheme keyed to file type. (See column 18, lines 39 - 42 "The CODECs are specified in the script in a prioritized order. If the first-listed CODEC Is installed on the user terminal, it will be used. If only a lower-listed CODEC is installed, it will be used instead.")

Maxham, Krachman, and Kenner are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Maxham and Krachman with that of Kenner because all the references are related to processing data for use and by including the prioritization scheme keyed to the file type, as disclosed in Kenner, the proper processor will be invoked based on the order set by the user, creating an efficient method for the most accurate processing. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of processing comprises: processing with a prioritization scheme keyed to file type.

Claim 30:

Regarding claim 30, the combination of Maxham, Krachman, and Kenner additionally discloses wherein said step of processing with a prioritization scheme comprises: processing by one of file extension and file header with a plug-in module (See Kenner column 20, lines 9- 12 "The EMBED statement also specifies parameters to be used by the plug-in for format selection. The plug-in retrieves those parameters comprising a prioritized list of preferred CODECs and file type extensions." In other words the plug-in contains the list of extensions related to the prioritized way to process the file type.)

Claim 31:

Regarding claim 31, the combination of Maxham, Krachman, and Kenner additionally discloses said step of processing with a plug-in module comprises: processing with a plug-in module

configured to be selected to be "ON" or "OFF." (See Kenner column 20, lines 3 - 8 "If the plug-in is already present, or the user has taken the appropriate steps to install it, the plug-in is then invoked by the embedded script." The plug in would be considered to be "ON" if it is installed, and if not installed, it would be considered to be "OFF".)

Claim 32:

Regarding claim 32, the combination of Maxham, Krachman, and Kenner additionally discloses said step of processing with a plug-in module comprises; processing with a plug-in module configured to have a user-selectable priority. (See Kenner column 19, lines 26 - 28 "In a like manner, different CODEC programs can be selected for use with the different browser environments." Here, the user selects with plug-in works best for the particular browser and sets the priority accordingly.)

Claim 35:

Regarding claim 35, the combination of Maxham, Krachman, and Kenner additionally discloses said step of processing with a plug-in module comprises one of: processing with a plug-in configured to open multiple file types (See Maxham page 3, paragraph [0035] "If the file type is an archive, such as .zip, itar, etc., archive extractor extracts archived file(s)." Here, there are multiple file types being processed with the archive extractor.);

processing with multiple plug-ins configured to open a single file-type (See Kenner column 19, lines 26 -28 "In a like manner, different CODEC programs [plug-ins] can be selected for use with different browser environments.". In this case, the same file might be processed using different plug-ins depending upon the browser.)

processing with a plug-in created by incorporating a library of a commercially available software product (See Maxham page 3, paragraph [0037] "Well known third party software packages may be used in this conversion process."); and processing with a plug-in comprising a library of programming code that incorporates functionality of a third party library or an application to load, image and extract metadata from a document. (See Maxham page 3, paragraph [0037] "Well known third party software packages may be used in this conversion process.")

19. Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham) and U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman), and US patent 6421726 by Kenner et. al. (hereafter Kenner) further in view of U.S. patent application 20020059317 by Black et. al. (hereafter Black).

Claim 33:

The combination of Maxham, Krachman, and Kenner do not explicitly disclose "said step of processing with a prioritization scheme keyed to file type comprises at least one of: identifying a file type extension; and evaluating a binary file header."

However, Black discloses said step of processing with a prioritization scheme keyed to file type comprises at least one of: identifying a file type extension; and evaluating a binary file header. (See page 4, paragraph [0060] "One way to achieve that is to use a combination of file extensions and/or internal binary header information to determine the file type.")

Maxham, Krachman, and Kenner are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Maxham, Krachman and Kenner with that of Black because

all of the references are related to data file processing and by including the teachings of file type extension and binary file header teachings of Kenner, the method is able to become more secure and robust by not allowing file types to be ignored because they were improperly changed. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of processing with a prioritization scheme keyed to file type comprises at least one of: identifying a file type extension; and evaluating a binary file header.

Claim 34:.

Regarding claim 34 the combination of Maxham, Krachman, Kenner, and Black discloses said step of processing with a prioritization scheme keyed to file type comprises one of: identifying said file type extension and evaluating the binary header when the file type extension is unknown (See Black page 4, paragraph [0060] "Most file contain embedded binary data that can be used to identify the file regardless of the file extension." This means it could determine the type even if the extension was unknown.); and evaluating the binary header, and if there is a conflict between the binary header and the file-type extension, one of the binary header or the file-type extension is considered a default first choice, either arbitrarily or based on a predetermined logic keyed to a predetermined file type. (See Black page 4, paragraph [0060] "This is a measure that prevents one from renaming a DOC, XLS, etc. to intentionally hide data or unintentionally omit data files." Here the conflict would exist between the header and the extension. In this case, it appears the reference chooses the information in the header type to be the default first choice.)

20. Claims 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham), U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman), and US patent 6421726 by Kenner et.

al. (hereafter Kenner) further in view of "Autovue Solid Model Professional Version 15" by John Mclver (hereafter Mclver).

Claim 36:

The combination of Maxham, Krachman, and Kenner do not explicitly disclose said step of processing with a prioritization scheme keyed to file type comprises: reading a file that is correlated to a plug-in.

However, Mclver discloses said step of processing with a prioritization scheme keyed to file type comprises: reading a file that is correlated to a plug-in. (See page 3, second paragraph "AutoVue claims support for over 190 file formats ....a broad range of Vector graphics, Fax, Word Processor, Database and Spreadsheet formats are also covered.")

Maxham, Krachman, Kenner, and McIver are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary sill in the art at the time of the invention to combine the teachings of Maxham, Krachman, and Kenner with that of McIver because they are all related to document processing and by including the AutoVue teachings of Mclver, the system becomes more robust by allowing for a wide variety of files to be processed than without AutoVue.

21. Claims 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Application Publication 2004/0187075 by Maxham et. al. (hereafter Maxham), U.S. Patent 6,738,760 by Albert Krachman (hereafter Krachman), and US patent 6421726 by Kenner et. al. (hereafter Kenner), and "Autovue Solid Model Professional Version 15" by John Mclver (hereafter Mclver) in further view of "Windows Tips – how to create a file association for your programs, using the registry" (hereafter Windows).

Claim 37:

The combination of Maxham, Krachman, Kenner, and McIver do not explicitly disclose said step of processing with a prioritization scheme keyed to a file type comprises: reading a file that cannot be processed by the plug-in by using a Microsoft Windows File Type Association and accessing a Windows registry to determine if a "print" verb is associated with the extension in Windows; if said "print" verb is found to be associated with the extension, starting a new Windows process with said "print" verb as startup information and feeding the output of said new Windows process to an imaging print driver.

However, Windows Tips discloses said step of processing with a prioritization scheme, "keyed to a file type comprises" reading a file that cannot be processed by the AutoVue plug-in by using a Microsoft Windows File Type Association and accessing a Windows registry to determine if a "print" verb is associated with the extension in windows; if said "print" verb is found to be associated with the extension, starting a new Windows process with said "print" verb as startup information and feeding the output of said new Windows process to an imaging print driver. (See page 2, line 10 and 11, where the print verb is associated in the registry to the plug-in wordpad.exe)

Maxham, Krachman, Kenner, McIver, and Windows Tips are within the same field of endeavor, document processing. They are therefore analogous. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Maxham, Kenner, and Melver with that of Windows Tips because the references are related to document processing and by including the File Type Association disclosure as taught in Windows Tips, the method becomes more robust by allowing the registry control to determine what plug-in to use in case it is not previously able' to be determined. It is for this reason that one of ordinary skill in the art would have been motivated to include said step of processing with a prioritization scheme keyed to a file type comprises: reading a file that cannot be processed by the AutoVue plug-in by using a Microsoft Windows File Type Association and accessing a Windows registry to determine if a "print" verb is associated with the extension in windows; if said

"print" verb is found to be associated with the extension, starting a new Windows process with said "print" verb as startup information and feeding the output of said new Windows process to an imaging print driver.

Response to Arguments

22. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

A. Applicant asserts that "physically loading and copying data and associated meta-data into a processor-based device by a user from one or more storage devices located at a user site, said processor-based device being located at said user site" and "inputting from the user on-site user input to said processor-based device for subsequent processing of a working copy" is not disclosed. Thatthe claim is directed to a device that loads data at a user site, and therefore the cited reference does not disclose the newly recited limitation. Further stating that the claims indicate that the processing of the working copy is done at a physical location in which the original data was physically loaded. That this is intended to differentiate a web-based system, where the processing is done in some remote location.

In response, this is now moot. The combination of Maxham and Krachman above disclose the claimed limitations.

Conclusion

23. The prior art made of record listed on pto-892 and not relied, if any, upon is considered pertinent to applicant's disclosure.

Contact Information

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL PHAM whose telephone number is (571)272-3924. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. P./
Examiner, Art Unit 2167

/John R. Cottingham/
Supervisory Patent Examiner, Art Unit 2167